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November 14, 1997

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FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF THE SECRETARY

BY HAND

Magalie Roman Salas, Esq.  
Secretary  
Federal Communications Commission  
1919 M Street, NW, Room 222  
Washington, DC 20554

Re: MM Docket No. 87-268

Dear Ms. Salas:

This is to inform the Commission that the attached letter was submitted to Chairman Kennard and each of the Commissioners on November 14, 1997.

Please contact the undersigned if you have any questions.

Respectfully submitted,

WILKES, ARTIS, HEDRICK & LANE  
Chartered

By:

  
Robert M. Gurs

Attorneys for the Association of Public-Safety  
Communications Officials-International, Inc.

Attachment

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November 14, 1997

**BY HAND**

The Honorable William Kennard  
Chairman  
Federal Communications Commission  
1919 M Street, N.W.  
Washington, D.C. 20554

RE: MM Docket 87-268

Dear Mr. Chairman:

The Commission has adopted a digital television (DTV) channel allotment plan in the above-referenced proceeding, and is currently considering numerous petitions for reconsideration of that plan. APCO and other public safety interests have filed petitions for reconsideration opposing the plan insofar as it places 15 DTV allotments in UHF channels 60-69 (746-806 MHz). Those channel 60-69 DTV allotments will limit the effectiveness of the congressionally mandated reallocation of 24 MHz from the 746-806 MHz band for public safety services.

According to a report in the November 12, 1997, issue of *Communications Daily*, the broadcasting industry may be submitting a new proposed DTV channel plan which adds yet another 36 DTV allotments to channels 60-69. On behalf of public safety agencies throughout the nation, APCO vigorously opposes any such further intrusion by broadcasters into spectrum than can and should be made available immediately for the protection of life and property.

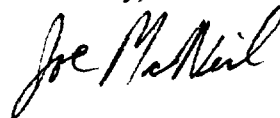
The Public Safety Wireless Advisory Committee recommended that approximately 24 MHz of spectrum be allocated for public safety use in the very near term. Congress, in the 1997 budget legislation, required the Commission to make such an allocation in the 746-806 MHz band by December 31, 1997, and the Commission has initiated a proceeding to implement that allocation (ET Docket 97-157). However, the ability of public safety agencies to actually use that spectrum will be thwarted in some parts of the country until

the end of the DTV transition due to existing television stations on channels 60-69. Thus, APCO has strongly opposed DTV channel plans that would add additional television operations in the band and create further impediments to public safety use of the newly reallocated spectrum. An additional 36 DTV allotments in channels 60-69 would be devastating, especially since most of those new allotments are likely to be in or near major metropolitan areas which face the most severe shortages of public safety spectrum.

APCO urges that instead of increasing the number of DTV allotments in channels 60-69, the Commission should eliminate the current DTV allotments in those channels to promote opportunities for improved public safety communications. The Commission must also take steps to expedite the availability of spectrum occupied by existing broadcasters in the 746-806 MHz band.

Please contact our counsel in Washington, Robert Gurss, at 202-457-7329, should you have any questions or need additional information. Two copies of this letter will be filed with the Secretary.

Sincerely,

A handwritten signature in black ink, appearing to read "Joe McNeil", written in a cursive style.

Joe McNeil  
President

cc: All Commissioners